

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD ALLEN FABEL ET AL.,

Defendants.

NO. CR06-41RSL

ORDER RELEASING EVIDENCE

Based upon the representations in the government's motion and the entirety of the files and record in this case, the Court FINDS and RULES as follows:

On April 6, 2007, Evan Thompson, the Forensic Scientist who had examined items of evidence in this case, resigned from the Washington State Patrol Crime Laboratory. The government had planned on calling Mr. Thompson to testify about the findings and conclusions he made based upon his examination.

The government has represented that a current Forensic Scientist at the Washington State Patrol Crime Laboratory will have to re-examine the evidence that Mr. Thompson examined so that a current employee can testify in this case.

Some of the items that will need to be re-examined have been admitted as evidence in this case. Specifically, Exhibits 10.5a & b (the bullets recovered from Mr. Walsh's body), and Exhibit 10.51 (Mr. Walsh's vest) have been entered into evidence and are now in the Court's custody.

1 Therefore, it is HEREBY ORDERED that:

2 Exhibits 10.5a & b and Exhibit 10.51 be released to the government so that they
3 can be re-examined at the Washington State Patrol Crime Laboratory. They are to be
4 returned to evidence once the examinations are completed.

5 IT IS SO ORDERED.

6
7 DATED this 10th day of April, 2007.

8
9 

10 Robert S. Lasnik
11 United States District Judge
12
13

14 Presented by:

15 JEFFREY C. SULLIVAN
16 United States Attorney

17 s/ Tessa M. Gorman
18 WSBA #35908
19 Assistant United States Attorneys
20 United States Attorney's Office
21 700 Stewart Street, Suite 5220
22 Seattle, WA 98101
23 Telephone: (206) 553-4994 (Gorman)
24 Fax: (206) 553-0755
25 E-mail: Tessa.Gorman@usdoj.gov
26
27
28